IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929

WP(C).No. 19339 of 2007(B)

PETITIONER:

JAISON SEBASTIAN, S/O.K.J.DEVASYA,
AGED 31, PEON, ST.JOSEPH'S HIGHER SECONDARY
SCHOOL, PERUVANTHANAM.

BY ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT, GENERAL EDUCATION
DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. DIRECTOR OF PUBLIC INSTRUCTION,
JAGATHI, THIRUVANANTHAPURAM.

3. DEPUTY DIRECTOR OF EDUCATION, IDUKKI,
THODUPUZHA.

4. DISTRICT EDUCATIONAL OFFICER, KATTAPPANA.

5. DISTRICT EDUCATIONAL OFFICER, KANJIRAPPALLY.

6. DISTRICT EDUCATIONAL OFFICER, PATHANAMTHITTA.

7. CORPORATE MANAGER, CORPORATE MANAGEMENT OF
SCHOOLS, DIOCESE OF KANJIRAPPALLY - 686507.

8. SRI.DOMINIC A MATYHAI, H.F.H.S, INJIYANI,
MUNDAKKAYAM, KOTTAYAM DISTRICT.

9. SRI.JOSEPH THOMAS, ST.MARYS H.S, THEKKEMANA,
MUNDAKKAYAM, IDUKKI DISTRICT.

BY GOVERNMENT PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K.BASHEER, J.

W.P.(C)No.19339 OF 2007

Dated this the 18th day of July, 2007

JUDGMENT

In view of the limited prayer made by the learned counsel for the petitioner at the Bar and also in the nature of the relief sought for in the writ petition, I do not deem it necessary to issue notice to the respondents at this stage. In my view, the interest of party respondents 7 to 9 can be safeguarded by issuing appropriate directions to the authority concerned.

2. The grievance of the petitioner who is stated to be now working as Peon in one of the schools under the Corporate Management of respondent No.7, is that his appointment as Peon was approved only with effect from August 3, 2006. He has got a further grievance that his appointment as Full Time Menial was approved only with effect from March 28, 2003. His service in 1999 was totally ignored and he denied timely appointment. Appointment of several of the fresh appointees who got appointment

subsequent to the promotion of the petitioner had been approved while approval for the appointment of the petitioner from 1999 till 2003 was refused.

3. I do not deem it necessary to go into that area of controversy at this stage, since learned counsel submits that petitioner will be satisfied, if respondent no.2 is directed to take a decision on Ext.P8 representation submitted by the petitioner highlighting all the rival aspects of the issue without any delay.

4. In the above facts and circumstances, writ petition is disposed of with a direction to respondent no.2 to consider and pass orders on Ext.P8 strictly on its merit and in accordance with law as expeditiously as possible, at any rate, within four months from the date of receipt of a copy of this judgment. Respondent no.2 shall ensure that petitioner, the manager and respondents 8 and 9 and all others who are likely to be affected by any order that may be passed, are afforded sufficient opportunity to be heard before any decision is taken in the matter. Petitioner shall produce a

copy of the writ petition along with a certified copy of the judgment before respondent no.2 for compliance. Petitioner shall also send copies of the above documents to respondents 7 to 9 by registered post for information.

Writ petition is disposed of as above.

A.K.BASHEER, JUDGE

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